

Margit

Chairman/Executive Director Report: March 28, 1996

✓ 1. Call to Order/Roll Call.

Call on Margit to take the roll.

✓ 2. Public Comments.

PAT: This is the time for public comments on any item NOT on the agenda.

✓ 3. Minutes of February 22, 1996 Meeting.

mello/Sims

PAT: Any comments or correction of the draft minutes for our last meeting?
Needs MOTION, SECOND; VOICE VOTE.

4. Chairman's Report.

Our next meetings are the two special meetings where members of the Commission will be sitting as a committee of the whole to hear public comments on the proposed regulation and plan amendment. Those meetings will be on Thursday April 4 at 10 a.m. in the Roberts Union Farm Center, west of Stockton, and on Monday, April 8, at 10 a.m. in the Theater of the Antioch Community Center in Antioch. Staff will be calling members of the Commission to see who will be attending those meetings.

△ Our next regular meeting will be on Thursday, April 25, 1996 here in the Jean Harvie Community Center at 6:30 p.m. Tentatively scheduled for that meeting are a vote on the proposed regulation and plan amendment, and a vote on the City of Rio Vista's submittal in compliance with the Act.

I want to note that as requested at the last meeting, a notebook and video have on Egeria densa have been set up in the back of the room.

Since our last meeting, I have sent several letters on behalf of the Commission, copies of which are in your packets. These include:

- ✓ 1. A letter to CALFED suggesting that the Commission's recommendation that levees be raised to PL-99 standard be included in the program;
- ✓ 2. A letter regarding proposed AB 360 which would limit its impact to the Primary Zone of the Delta;
- ✓ 3. A letter to OES thanking OES for paying old claims for reimbursements from the floods of 1982, 1983 and 1986;

4. A letter to FEMA asking for response to the State's letter seeking clarification of assistance available to Delta levee owners in case of an emergency; and

5. Letters to Contra Costa, Sacramento, Colusa, and Yolo Counties explaining the Commission's proposed actions re P-3 and seeking County support for the Commission's position in the interim period.

Upcoming events of interest include:

A CALFED public briefing and scoping meeting for the environmental document will be held in the Delta area on Wednesday April 10 from 7-9 p.m. in the Jean Harvie Community Center. Another scoping meeting will be held on Monday April 15 from 7-9 p.m. at the Red Lion Inn on Point West Way in Sacramento.

The Asparagus Festival will be held on April 26, 27, and 28 in Oak Grove Regional Park, north of Stockton.

5. Attorney General's Report.

Call on Rick Frank.

6. Executive Director's Report.

Call on Margit.

Thank you Mr. Chairman. Since our last meeting, I have attended several meetings on behalf of the Commission:

1. A Workshop on Delta Channel Islands was held February 23 in Stockton. It was sponsored by the San Francisco Estuary Project and brought together landowners, resource agencies, resource management agencies and others interested in the future of the channel islands. The workshop was very positive and a second workshop will be held in the near future to try to put together a plan to inventory and protect the channel islands. I will keep you apprised of the outcome.

2. A workshop on 20 possible alternatives for the CALFED project were present on February 26. From these, 10 have been refined and will be the subject of the workshops in April. Eventually, these will be whittled down to three or four alternatives to be fully evaluated. We will try to have Lester Snow brief the Commission on the final alternatives at the May meeting.

3. I attended the Secretary for Resources Delta Levees Advisory Committee meeting on March 1: the group is trying to figure out how the new Corps General Permit 14, will work

and coordinate with the Regional Board's proposed general order for sediment testing.

Budget. I attended a Senate Budget Hearing on the Commission's budget for half of FY 96-97 on Tuesday of this week. The Subcommittee approved the half-year budget and suggested that if the Commission is extended, additional funds need to be provided.

SB 1673. A hearing on the proposed legislation to extend the Commission for two years is scheduled before the Natural Resources Committee on April 9 at 9:30 a.m. You also received a copy of a letter of support from Ducks Unlimited.

Penalty Fund. As of March 6, 1996, the Commission's 10% penalty fund is up to \$1,317.61. This does not reflect approximately \$600 Contra Costa County has determined it owes to the fund based on a review of its records, and has forwarded to the Controller.

Conservation Easement. The Wildlife Conservation Board purchased a wetland conservation easement for 261 acres of historic wetlands on Empire Tract for \$404,000 (that is \$1,550 per acre). The property is currently used for farming, but commercial operations will be phased out under the terms of the easement.

Status of Local Government Submittals: I have prepared an updated memo which gives the status of all the submittals. Sacramento County staff indicates their submittal will be in shortly. All the other counties indicate they will be adopting the General Plan amendments soon.

→ DRAR Survey/
Questions?

✓ 7. Pending Projects Memo.

PAT: Are there any comments or questions about the pending projects memo?

8. Commission Consideration and Possible Action on Request for Co-Sponsorship of Third "State of the Estuary" Conference.

PAT: The Commission has been asked by the San Francisco Estuary Project to be a co-sponsors of a conference on the State of the Estuary in October, 1996 and has asked for a donation of \$100.

Are there comments or questions from the Commission?

Does anyone in the audience wish to comment on this matter?

Commission debate?

Needs MOTION. SECOND: VOICE VOTE

approved

8. Public Hearing on the City of Rio Vista.

PAT: The Commission will hold a public hearing on the submittal of the City of Rio Vista for the lands in the City that are within the Primary Zone of the Delta. (Call on Margit)

MARGIT: Thank you Mr. Chairman: As described in your packet, in January, I wrote a letter to the City and outlined the materials that needed to be submitted to meet the terms of the Delta Protection Act. The City submitted materials in February. The materials submitted indicate the zoning and general plan designation that were in place as of January 1, 1992 (the date indicated in the legislation) for lands in the City that were in the Primary Zone at that time. In addition, the Commission was aware and received information about the lands in the Primary Zone which were under study for development as a new wastewater treatment plant. Those lands have since been approved for annexation into the City, but have not yet been zoned or designated in the General Plan. The City indicates these lands will be designated for use as a sewage treatment plant. Page 5 of the staff report includes the two policies in the Plan which the City must meet.

The purpose of the public hearing is to allow the City to present its materials and to hear and comments from the public on the City's submittal. Unfortunately, Karl Wandry the planning director is unable to be here tonight. I talked to him yesterday and he said he would recommend to the City Council adoption of the second, more general policy, and that the primary concern of the City is preserving the site for the proposed sewage treatment plant.

I want to note that the public hearing must remain open to the next meeting and Mr. Wandry can be here to respond to any issues raised by the Commission tonight. Written comments can be submitted to the Commission until the next meeting.

PAT: Are there any questions from the Commission? ~~to the City or to our staff?~~

Are there any comments from the public on the City's proposal?

Are there any Commissioner comments?

We will keep the public hearing open until the next meeting on April 25, for written or oral comments.

10. Public Hearing on Proposed Regulation and Proposed Amendment to the "Land Use and Resource Management Plan for the Primary Zone of the Delta" (Plan) Addressing Siting of Sewage Treatment Plants and Areas for Disposal of Sewage

PAT: Tonight, the Commission will hold the first of three public hearings on the proposed regulation and proposed amendment to the Commission's Plan. You should note the proposed language is the same as the language originally included in the Plan as Utilities and Infrastructure Policy P-3. The Commission was sued by BioGro who said the policy was a regulation, and subject to a different review process as a regulation. The judge agreed and P-3 was set aside. The Commission has started the process to adopt P-3 as a regulation and to amend the Plan to include the language in the Plan. Those who are planning to speak should write their name and address on a card and give it to staff. (Call on Margit)

MARGIT: Mr. Chairman, I want to note three letters were included in your mailing packet from James Gualco, from Planning and Conservation League, and from Environmental Resources Consultants. In addition, you have received 2 letters since the mailing, which have been distributed tonight. Those are from: South Delta Water Agency & City of Lodi. I would be happy to answer any questions on the staff report.

PAT: Are there any QUESTIONS from the Commission on the process or on the staff report?-- we will have an opportunity to comment at the end of receiving public comment. (NOTE: You may need to have a 3 minute limit.)

Our first three speakers will be I request that you speak briefly and to the issue before the Commission. In addition, if you have a comment in writing, please give a copy to staff and briefly summarize your comments.

Thank you to all the participants here tonight. This is an important issue for the Delta and we appreciate you coming to speak to the Commission tonight. Please remember there will be two additional hearings and the written comments can be submitted until April 8.

11. Commissioner Comments.

PAT: Do any Commissioners have comments or announcements?

12. Adjourn. The meeting is adjourned to the public hearing before the Committee of the whole on Thursday April 4, 1996 at 10:00 a.m.